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UNCLAS SECTION 01 OF 03 ASHGABAT 000201

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STATE FOR SCA/CEN (PERRY), SCA/PPD, EUR/ACE

E.O. 12958: N/A

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SUBJECT: ACTING PARLIAMENT SPEAKER NURBERDIYEVA WELCOMES A/S BOUCHER

REF: Ashgabat 146

SUMMARY

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¶1. (U) Acting Parliamentary (Mejlis) Speaker Akja Nurberdiyeva unreservedly welcomed SCA A/S Boucher's suggestion of legislative exchange and assistance activities in their cordial February 15 meeting. Nurberdiyeva described the Mejlis's altered functions and listed its main current agenda items, which are largely linked to the agricultural reforms that she projects will be declared by the next session of the Halk Maslahaty (People's Council) in March. END SUMMARY.

CURRENT MEJLIS AND ITS AGENDA

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¶2. (U) A/S Boucher noted that now is a very hopeful moment and opportunity to develop the bilateral relationship and contribute to Turkmenistan's development. He asked about the current situation with the Mejlis and its activities ahead. Nurberdiyeva replied that the Mejlis's current 50 deputies are constitutionally scheduled to grow to 65 at the next election, in December 2008. All deputies are elected on a single-mandate basis. The Mejlis's work is by five committees, dealing in the following spheres: human rights; economic and social policy; science, education and culture; international and interparliamentary relations; and coordination with village-level authorities. This last committee, noted the Speaker, is just a few years old, but of particular significance since it gives the best chance to work directly with lower-level authorities and thereby in consultation with the population itself. All draft laws affecting the broad public are "of course" published for public reaction, she added.

¶3. (U) Apart from the five committees, the Mejlis also forms ad hoc working groups with experts from Ministries or elsewhere, she continued. At times, these experts are international ones. For example, the Mejlis consulted the International Red Cross in the process of forming legislation to establish the local Red Crescent. There is also collaboration with the OSCE and UN. The Mejlis has a five-year agreement (now in its third year; annual workplans are signed each year) with UNICEF, focused on women's and children's

issues.

14. (U) Asked what was on the current legislative agenda, Nurberdiyeva at once specified various draft laws connected to the agricultural-sector agenda of the upcoming (March) session of the Halk Maslahaty. The first of these, she said, was Turkmenistan's Land Law (which, she volunteered, was well-known to have been drawn-up in haste and to contain "many problems," requiring much modification and supplementation.) In this same category are the laws on farmers' associations and on defining the authorities of regional bodies. Aside from agriculture, items for action include the Criminal Procedure Code, a law on trafficking in persons, "and many others if there were time."

15. (U) Nurberdiyeva referred generally to "the many issues" that arose from the campaign platform of Turkmenistan's newly-elected president. These, she said, involve multiple "big reforms," all of which in turn will generate the need for important legislative decisions, especially with regard to social-policy.

16. (U) Boucher asked if private property of land were in prospect. "No," answered the Speaker immediately. "Land belongs to the state." She then elaborated that under existing law farmers with an excellent record can receive land "in ownership," entailing the rights of lifetime cultivation and to bequeath -- but not to sell. A/S Boucher commented that inability to sell land for liquid assets ran counter to President Berdimuhammedov's campaign endorsement of increased entrepreneurial activity. Nurberdiyeva politely disagreed, noting that such "leaseholder" farmers were unfettered in planting the crops of their choice and in selling their harvests to whom and for the price they chose.

OUTLOOK FOR POLITICAL SHIFTS?

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17. (SBU) Boucher asked about the Turkmenistan's political evolution in the post-presidential-election period. The Speaker made an unorthodox albeit vague reference to how "we saw what areas need to be improved in the presidential elections" (no further detail). On the subject of political parties, she was at pains to point out that the latter were not banned. The current Law on Public Associations explicitly allows their formation, she asserted. But preconditions of societal consciousness are involved. Nothing positive is gained by creation of "artificial" parties, she said. (NOTE: She was echoing the words of Berdimuhammedov as part of the latter's generally affable reply to a question about a multi-party system. END NOTE.) The vital precondition was to be wholly sure that a party reflected a genuine grassroots constituency with concrete and shared interests.

18. (SBU) Boucher countered that, even so, government has a role to play: making clear that it welcomes the principle of parties via TV etc. Parliaments, also, exist as a place to allow and display debates and discussion almost as much as to pass laws. The Speaker narrated how, as far back as 1992, there had been the question of whether to form a Peasants' (farmers') Party. Now, there was a legitimate issue as to whether there deserved to be an entrepreneurs' party. In any case, the Halk Maslahaty's 2507 members already embody all social elements and viewpoints, from youth to pensioners. Everyone there can voice proposals, observations, visions. Maybe the question of political parties will be discussed at the upcoming Halk Maslahaty session, she concluded.

19. (SBU) Did the Speaker foresee any shift in Turkmenistan's system of presidential power? Nurberdiyeva's nimble response was to note that Niyazov himself had pronounced the need to reconsider the status of the Mejlis as part of the 2008 election process. The Mejlis was a fifteen-year-old institution whose function is being shifted from lawmaking towards a relatively heavier component of oversight function. She referred to the weekly "Parliament Hour" on TV, laying forth not just new laws or drafts but also well-established ones, and inviting comment. By such monitoring, it could determine whether a given law was inherently inadequate or whether its implementation was just weak. "I think this (oversight

function) will increase -- this is what we are moving towards."

¶10. (U) Nurberdiyeva termed the Mejlis "a limb" of the Halk Maslahaty. The latter has exclusive authority over constitutional matters, including any future questions about changing the nation's political system. Legislation with which the Mejlis deals can originate either within the Mejlis itself or from a variety of other realms, not merely the presidency but Ministries, etc.

#### ENTHUSIASM FOR PARLIAMENTARY PROGRAMS

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¶11. (U) Boucher, seconded by USAID Regional Director Crowley, expressed U.S. readiness to engage in parliamentary exchange and other technical programs, e.g., establishing a parliamentary library with internet access. "We would greet them with pleasure," immediately replied the Speaker. Almost one third of the Mejlis's members already have traveled to the U.S., she noted; one member of the Human Rights Committee was due to depart soon.

¶12. (SBU) Crowley highlighted the availability of U.S. expertise for Trafficking-in-Persons (TIP) legislation and implementation; Boucher added that trafficking was a U.S. priority throughout the world. Nurberdiyeva commented that such problems were thankfully "perhaps not so bad" in Turkmenistan, because of the nation's "mentality and moral values" but that measures were nonetheless important for prevention. She repeated that the Mejlis would be eager to discuss outreach and expertise proposals. Its current interparliamentary exchanges are narrowly and weakly developed: occasional visits of members to Turkey or Iran.

¶13. Concluding, Boucher mentioned his earlier meeting with Turkmenistan's newly-inaugurated president and referred to the Speaker's own meeting a fortnight earlier with EUR/ACE Coordinator Adams. We looked forward to more cordial meetings of this type, but

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even more important was to agree on and implement actual practical steps. Nurberdiyeva's animated closing response was to stress that President Berdimuhammedov had spoken throughout the electoral campaign about the need for national development with special attention on education, technological advances and providing opportunity for youth, and that his inauguration speech had dwelt on international exchanges: both inviting foreign specialists to Turkmenistan and sending students abroad.

#### COMMENT

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¶14. (SBU) As in her January 31 meeting with the EUR/ACE delegation (Reftel), the Speaker both projected an uncommonly appealing, natural persona and had fluent, informative answers to Boucher's inquiries. This time, however, her reactions to suggestions of U.S. programs were consistently unrestrained by the caution that we read into her responses then. Also missing this time was any caveat about all potential programs needing to be channeled exclusively through the Ministry of Foreign Affairs (reftel, para 13). Perhaps this betokens that Berdimuhammedov's inauguration yesterday indeed heralded the start of tacitly understood new rules for such interaction. More generally, she made plain that she expects the results of next month's Halk Maslahaty session in agriculture to be "historical," and her utterances on the importance of democratic consultation with local-level authority and social grassroots seemed sincere and quite striking.

¶15. (U) This was our third lengthy encounter with Nurberdiyeva in the last month (counting Charge's Remembrance Day "sadaka" lunch with her in the Gokdepe Mosque balcony.)

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